

**THE MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** is scheduled to be held on **MONDAY July 26, 2010**, following Public Hearings and the meetings of any scheduled Committees at **6:00 p.m.**, in the **ASSEMBLY ROOM, BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.**

**CALL TO ORDER**

**APPROVAL OF MINUTES:**

<b>Special Meeting of Council</b>	<b>June 17, 2010</b>
<b>Public Hearings: Bills Numbered: 10-11, 10-12 (Water &amp; Sanitation Budget), 10-13, 10-14, 10-15, 10-16, 10-17, 10-18, 10-19 and 10-20 (Berkeley County Budget)</b>	<b>June 28, 2010</b>
<b>Regular Council Meeting</b>	<b>June 28, 2010</b>

**PUBLIC DISCUSSION - Requests to be heard must be made prior to call to Order and comments must be limited to Agenda items only.**

***COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES PER SPEAKER. (A TOTAL OF 30 MINUTES WILL BE ALLOTTED FOR THIS PUBLIC DISCUSSION PERIOD.)***

**EXECUTIVE SESSION** to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim.

**PRESENTATION: Ms. Vermelle Simmons, 2010 Census Update**

**CHAIRMAN OF COUNTY COUNCIL**

**THIRD READING:**

**1. Bill No. 10-12**, an ordinance providing for the adoption of fiscal year 2010-2011 (beginning July 1, 2010 and ending June 30, 2011) budgets for the Berkeley County Water and Sanitation and the Berkeley County Water and Sanitation Solid Waste Fund; establishing operational, debt service, and capital improvement budgets for water and sewer; and to provide for the expenditures of revenues coming into Berkeley County Water and Sanitation and the Berkeley County Water and Sanitation Solid Waste Fund during the fiscal year, and to amend the

Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for Water and Sewer and Solid Waste Service by Berkeley County Water and Sanitation with no increase in rates for fees.

[Recommended by Committee on Water and Sanitation]

**2. Bill No. 10-18, an ordinance** providing for the fiscal year beginning **July 1, 2010, and ending June 30, 2011**, for the **Tall Pines Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Tall Pines Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

**3. Bill No. 10-20, an ordinance** providing appropriations for the fiscal year beginning **July 1, 2010, and ending June 30, 2011**, for **Berkeley County**; to provide for levy of taxes on all taxable property in Berkeley County for all county purposes; to provide for the expenditures of said taxes and other revenues coming into the county, that would not include the 29 percent Local Options Sales Tax option and would only take \$500,000 from that fund, for budget purposes for the fiscal year.

[Recommended by Committee on Finance]

**4. Bill No. 10-21, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Bobby Strickland**, 2575 South Live Oak Drive, Moncks Corner, **TMS #196-05-00-069 and 059** (1.95 +/- acres), **from R-2, Manufactured Residential District to GC, General Commercial District**. Council District No. 6.

[Recommended by Committee on Land Use]

**5. Bill No. 10-22, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **America's Home Place, Inc.**, for **Marion McClennon**, 1206 Seaboard Rd., St. Stephen, **TMS #047-00-02-042** (1.0 acre), **from GC, General Commercial District to F-1, Agricultural District**. Council District No. 8.

[Recommended by Committee on Land Use]

**6. Bill No. 10-23, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Connie Shuler**, 1545 Old Highway 6, Cross, portion of **TMS #041-00-05-066** (1.5 acres), **from F-1, Agricultural District to RNC, Rural & Neighborhood Commercial District**. Council District No. 7.

[Recommended by Committee on Land Use]

## **SECOND READING:**

**1. Bill No. 10-24, an Ordinance** to **amend and clarify** certain sections of **Ordinance No. 01-8-35**, adopted August 27, 2001, Zoning and Development Standards Ordinance "**Berkeley County Zoning Ordinance**" and amending Ordinances Nos. 02-08-33, 02-12-58, 04-11-68, 05-03-08, 05-08-58, 06-09-63, 06-12-92, and 07-07-43, **in regard to the regulation of Institutional Residential Land Uses and changes to the permitted Use Table**.

[Recommended by Committee on Land Use]

**2. Bill No. 10-25, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Maxine Winningham**, 1968 Cypress Campground Road, Ridgeville, **TMS #177-00-00-165**, (1.50 +/- acres), **from GC, General Commercial District to PDMU, Planned Development Mixed Use District**. Council District No. 7.

[Recommended by Committee on Land Use]

**3. Bill No. 10-26, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Robert & Lori Hammond**, for Hammond Family, LLC, located off Cypress Gardens Road behind the par 3 golf course, Moncks Corner, **TMS #210-00-00-198** (15.27 acres), **from HI, Heavy Industrial District and R-1, Single Family Residential District, to R-2R(F), Mobile Home Rural Farm Residential District**. Council District No. 6.

[Recommended by Committee on Land Use]

**4. Bill No. 10-27, an ordinance** calling for a **referendum authorizing South Carolina Department of Revenue to issue temporary permits** to allow for the possession, sale and consumption of alcoholic liquors by the drink to bona fide nonprofit organizations and business establishments authorized to be licensed for consumption-on-premises sales and to allow for the sale of beer and wine for off-premises consumption without regard to the days or hours of sale.

[Recommended by Committee on Community Services]

**5. Bill No. 10-28, an ordinance** amending **General Bond Ordinance No. 96-7-33** which authorized and provided for the issuance of Solid Waste System Revenue Bonds of Berkeley County, South Carolina; expanding the definition of system therein; and other matters relating thereto.

[Recommended by Committee on Water and Sanitation]

**6. Bill No. 10-29, an ordinance** amending **General Bond Ordinance No. 91-4-10** which authorized and provided for the issuance of Water and Sewer System Revenue Bonds of Berkeley County and **General Bond Ordinance No. 03-03-12** which authorized and provided for the issuance of Water and Sewer System Revenue Bonds of Berkeley County, South Carolina; expanding the definition of system therein; and other matters relating thereto.

[Recommended by Committee on Water and Sanitation]

### **FIRST READING:**

**1. Bill No. 10-30, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Danny Baston**, 230 Royle Road, Ladson, **TMS #242-00-02-055**, (10.99 +/- acres), **from GC, General Commercial District to HI, Heavy Industrial District**. Council District No. 4.

[Recommended by Committee on Land Use]

2. **Bill No. 10-31**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **John and Lucretta Winningham**, 1613 & 1621 South Live Oak Drive, Moncks Corner, **TMS #161-14-00-024**, (0.45 acres), and **#161-14-00-025**, (0.35 acres), **from R-2, Manufactured Residential District to GC, General Commercial District**. Council District No. 6.

[Recommended by Committee on Land Use]

3. **Bill No. 10-32**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Johnnie Capers** for **Leonard Boyd and Jack Pryor**, 1116 Old Gilliard Rd, Ridgeville, **TMS #175-00-01-064**, (0.227 acres), **from F-1, Agricultural District to RNC, Rural & Neighborhood Commercial District**. Council District No. 7.

[Recommended by Committee on Land Use]

4. **Bill No. 10-33**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Earthsource Engineering** for **Shirley Huggins and John Avinger**, located on Clements Ferry Road across the street from Marina Drive, Charleston, **TMS #271-00-02-174 and 029**, (58.10 acres), **from GC, General Commercial District and R-4, Multi-Family District, Small Scale, to PDMU, Planned Development Mixed Use District**. Council District No. 8.

[Recommended by Committee on Land Use]

## **RESOLUTIONS:**

1. **RESOLUTION** providing for the **Transfer of Funds** in the **2009-2010 Berkeley County Budget** for County purposes other than as specified in said budget.

[Recommended by Committee on Finance]

2. **RESOLUTION** designating **surplus property of Berkeley County Water and Sanitation** and authorizing the sale of surplus items.

[Recommended by Committee on Public Works and Purchasing]

3. **RESOLUTION** designating **surplus property of Berkeley County** and authorizing the disposal of the surplus property.

[Recommended by Committee on Public Works and Purchasing]

4. **RESOLUTION** of the County Council of Berkeley County, South Carolina, pursuant to the **Tax Increment Financing Act for Counties**, Title 31, Chapter 7 of the South Carolina Code of Laws, ordering a **public hearing** concerning a Redevelopment Plan for the establishment of a Tax Increment Financing District adjacent to Interstate I-26; providing for notice to local taxing entities.

[Recommended by Committee on Finance]

**5. RESOLUTION** authorizing the **County Supervisor** to execute any and all documents necessary to effectuate the acceptance of **\$90,000.00 from Home Telephone Company** to be applied towards infrastructure construction costs of the Dupont Corporation Facility located in Berkeley County.

[Recommended by Committee on Finance]

#### **REPORTS FROM STANDING COMMITTEES:**

- 1. Committee on Finance.**  
Council Member, Mr. Jack H. Schurlknight, Chairman.
- 2. Committee on Land Use.**  
Council Member, Mr. Phillip Farley, Chairman.
- 3. Committee on Public Works and Purchasing.**  
Council Member, Mr. Robert O. Call, Jr., Chairman.
  - a.** Architectural Services Indefinite Delivery Contract to SGA Architectural, LLC and Davis and Floyd.
  - b.** Professional Services (Engineering) contract – Burntwood Drive CDBG Water Project, in the amount of \$58,404.50.
- 4. Committee on Justice and Public Safety.**  
Council Member, Mr. Steve C. Davis, Chairman.
- 5. Committee on Water and Sanitation.**  
Council Member, Mr. Timothy J. Callanan, Chairman.
- 6. Committee on Planning and Development.**  
Council Member, Mrs. Cathy S. Davis, Chairman.
- 7. Committee on Community Services.**  
Council Member, Mr. Caldwell Pinckney, Jr., Chairman.
- 8. Committee on Human Services.**  
Council Member, Mr. Dennis Fish, Chairman.

#### **NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.**

AERONAUTICS COMMISSION

BCD RURAL TRANSPORTATION MANAGEMENT ASSOCIATION

CHARLESTON AREA TRANSPORTATION STUDY

CHARLESTON REGIONAL DEVELOPMENT ALLIANCE

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

LIBRARY BOARD

MENTAL HEALTH BOARD  
SANGAREE SPECIAL TAX DISTRICT  
SPECIAL FIRE TAX DISTRICT ADVISORY COMMISSION  
TALL PINES SPECIAL TAX DISTRICT ADVISORY COMMISSION  
TAX ASSESSMENT REVIEW BOARD  
ZONING APPEALS BOARD

**CORRESPONDENCE**

**UNFINISHED BUSINESS**

**NEW BUSINESS**

**ANNOUNCEMENTS**

**THE AUGUST 2010, REGULAR MEETING OF BERKELEY COUNTY COUNCIL WILL BE HELD ON MONDAY AUGUST 23, 2010, IMMEDIATELY FOLLOWING PUBLIC HEARINGS AND ANY SCHEDULED COMMITTEE MEETINGS AT 6:00 PM, IN THE ASSEMBLY ROOM OF THE BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.**

**ADJOURNMENT**

**EXECUTION OF DOCUMENTS BY COUNCIL**

**PUBLIC DISCUSSION**

**COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES AND MAY BE ON ANY MATTER.**

July 21, 2010  
S/Barbara B. Austin, CCC  
Clerk of County Council